

Andrew G. Lipkin (AL-6475)
MICHAEL A. CARDOZO,
CORPORATION COUNSEL OF
THE CITY OF NEW YORK
100 Church Street Rm. 5-207
New York, NY 10007
Tel: 212-788-0704
Facsimile: 212-788-0937
Email: alipkin@law.nyc.gov

Attorneys for the City of New York and the
New York City Employees Retirement
System

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

| | |
|---------------------------------|--------------------------|
| -----X | |
| In re | : Chapter 9 |
| | : |
| NEW YORK CITY OFF-TRACK BETTING | : Case No. 09-17121 (MG) |
| CORPORATION, | : |
| | : |
| Debtor. | : |
| -----X | |

**NOTICE OF APPEARANCE AND REQUEST
FOR SERVICE OF NOTICES AND DOCUMENTS**

PLEASE TAKE NOTICE that the undersigned appears as counsel to the City of New York and the New York City Employees Retirement System (collectively, the “City”), creditors and parties-in-interest herein, with regard to all matters and proceedings in the above-captioned case and, pursuant to 11 U.S.C. §1109(b) and the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), hereby requests that all notices given or required to be given in this case be sent to and served upon:

CORPORATION COUNSEL OF
THE CITY OF NEW YORK
100 Church Street Rm. 5-207
New York, NY 10007
Attn: Andrew G. Lipkin, Esq.
Tel: 212-788-0704
Facsimile: 212-788-0937
Email: alipkin@law.nyc.gov

PLEASE TAKE FURTHER NOTICE that the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules but also includes, without limitation, orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether written or oral, formal or informal, and whether transmitted or conveyed by mail, hand delivery, facsimile transmission, telephone, or otherwise, which affects the above-captioned debtor (the “Debtor”) or the property of or in the possession, custody or control of the Debtor or which is otherwise filed or given with regard to the above-captioned case.

PLEASE TAKE FURTHER NOTICE that neither this notice nor any later appearance, pleading, claim or suit shall waive any right (1) to have final orders in non-core matters entered only after *de novo* review by a District Judge, (2) to trial by jury in any proceeding so triable in this case or any case, controversy or proceeding related to this case and (3) to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal.

PLEASE TAKE FURTHER NOTICE that this Notice of Appearance and Request for Service of Notices and Documents is without prejudice to the City’s rights, remedies, claims, actions, defenses, setoffs or recoupments, in law or in equity, against the Debtor and any other entities either in this case or in any other action, all of which remedies, claims, actions, defenses, setoffs and recoupments are expressly reserved and (2) any objection which may be made to the

jurisdiction of the Court, and shall not be deemed or construed to submit the City to the
jurisdiction of the Court.

MICHAEL A. CARDOZO,
CORPORATION COUNSEL OF
THE CITY OF NEW YORK

By: /s/ Andrew G. Lipkin

Andrew G. Lipkin (AL-6457)
Assistant Corporation Counsel
100 Church Street Rm. 5-207
New York, New York 10007
212-788-0704 (tel.)
212-788-0937 (fax)
alipkin@law.nyc.gov